



## AGENDA COVER MEMO

Memorandum Date: 2/21/24

Order Date: 3/5/24

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TO: Board of County Commissioners

DEPARTMENT: County Administration, Policy Division

PRESENTED BY: Alex Dreher, Program Manager

AGENDA ITEM TITLE: MOTION/ORDER: In the Matter of Approving an Intergovernmental Agreement with Blachly-Lane Electric Cooperative Regarding Grant Applications and Awards, and Delegating Authority to the County Administrator to Execute the Approved Intergovernmental Agreement

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### I. MOTION

Approve an Intergovernmental Agreement with Blachly-Lane Electric Cooperative Regarding Grant Applications and Awards, and Delegate Authority to the County Administrator to Execute the Approved Intergovernmental Agreement.

### II. AGENDA ITEM SUMMARY

The Board is being asked to approve an intergovernmental agreement with Blachly-Lane Electric Cooperative. This IGA clarifies roles and responsibilities when Lane County is a grant applicant on behalf of and in collaboration with Blachly-Lane Electric Cooperative.

### III. BACKGROUND/IMPLICATIONS OF ACTION

#### A. Board Action and Other History

Board Order 23-10-10-12 adopted the Lane County Multi-Jurisdictional Natural Hazard Mitigation Plan Version 4.0. This plan identifies hazard mitigation priority activities. A key source of grant funding for hazard mitigation projects is the Federal Emergency Management Administration (FEMA) Building Resilient Infrastructure for Communities (BRIC) grant.

In January 2022, Lane County applied for an FY21 FEMA BRIC grant on behalf of Blachly-Lane Electric Cooperative. Lane County, as a local government with a multi-jurisdictional hazard mitigation plan, is an eligible applicant for FEMA

BRIC funds, whereas Blachly-Lane Electric Cooperative was not eligible to apply directly (BLEC). BLEC prepared all grant application materials. This application was later selected by FEMA to move forward in the selection process. This application, “Lane County - Alderwood Looped Power Transmission to Increase Reliability and Community Resilience” is currently in the “Request for Information” stage and is likely to be approved for FEMA BRIC funding. This intergovernmental agreement would clarify the roles and responsibilities between Lane County and BLEC, should this grant be awarded.

In February 2024, Lane County applied for an FY23 FEMA BRIC grant on behalf of Blachly-Lane Electric Cooperative. This project application is called “Lane County Blachly-Lane Amy Hill Overhead to Underground.”

B. Policy Issues

Lane Manual Chapter 4, section 4.005.010 item C 6 states, “The County will charge the allowable indirect cost allocation to all departments and funds in the most equitable manner possible and will recover the allowable indirect cost allocation from all grants, contracts and intergovernmental agreements. Exceptions will be made only upon Board approval.” The proposed intergovernmental agreement specifies that Lane County will not charge administrative fees or seek to recoup from the grant administrative costs for our work as the eligible applicant and pass-through partner.

C. Board Goals

Strategic Priority #4: Our People and Organizational Health. Objective C.4. “Enhance revenue for core services that impact the health and safety of our organization and community, and pursue our legislative priorities that emphasize needed repairs or enhancements to systems.”

D. Financial and/or Resource Considerations

The proposed intergovernmental agreement specifies that Lane County will not charge administrative fees or seek to recoup from the grant administrative costs for our work as the eligible applicant and pass-through partner. The goal is for eligible indirect, administrative, and/or management costs to be able to be recouped for Blachly-Lane Electric Cooperative and grant funds to be dedicated towards completing the actual project.

E. Health Implications

Blachly-Lane Electric Cooperative proposed grant-funded projects directly impact hundreds of customers located in rural unincorporated Lane County. The people served by these projects are disadvantaged. When electrical lines go down, resulting in power loss, every customer loses power. Without power they lose access to potable water, and sewage since all customers in the project area are on well water

and septic systems. Customers lose access to drinking water and the ability to flush toilets, resulting in loss of safe and sufficient water for healthy hygiene practices. This poses a significant health risk when extended power outages take place. The hazard mitigation projects that Lane County collaboratively seeks funding for with Blachly-Lane will mitigate these negative health outcomes from power outages.

F. Analysis

Lane County seeks to ensure access to electricity for rural residents served by Blachly-Lane Electric Cooperative. The collaborative grant applications will support Blachly-Lane's effort to increase resiliency for rural unincorporated communities in Lane County by providing more reliable and resilient sources of power. Without Lane County acting as the eligible applicant, Blachly-Lane would not be able to access and apply for certain grant funds.

Lane County has served as the eligible applicant for the FY21 FEMA BRIC grant opportunity, and FY23 FEMA BRIC grant opportunity on behalf of Blachly-Lane. Staff anticipate this mutually beneficial relationship to continue and seek clarity of roles, responsibilities, and expectations, through an intergovernmental agreement. To date, collaborative grant applications have not been awarded. However, it is anticipated the FY21 FEMA BRIC grant application for the Alderwood project may be awarded in the next calendar year.

G. Alternatives/Options

- a. Approve intergovernmental agreement with Blachly-Lane Electric Cooperative as listed in Exhibit A and delegate authority to the County Administrator to execute the intergovernmental agreement.
- b. Do not approve the contracts and provide additional direction to staff regarding contracting.

IV. RECOMMENDATION

Approve intergovernmental agreement with Blachly-Lane Electric Cooperative as listed in Exhibit A and delegate authority to the County Administrator to execute the intergovernmental agreement.

V. TIMING/IMPLEMENTATION

Staff will follow the direction of the Board.

VI. FOLLOW-UP

In the event that grants are awarded through this partnership, grant award acceptance will go to the Board for approval.

VII. ATTACHMENTS

## Exhibit A. Contract List

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 23-03-05-02

In the Matter of Approving an  
Intergovernmental Agreement with Blachly  
Lane Electric Cooperative Regarding Grant  
Applications and Awards, and Delegating  
Authority to the County Administrator to  
Execute the Approved Intergovernmental  
Agreement

**WHEREAS**, ORS 190.010 and the Lane County Home Rule Charter provide that units of local government may enter into agreements for the performance of any or all functions and activities that a party to the agreements, its officers, or agents, have authority to perform, and

**WHEREAS**, Lane Manual Chapter 4, section 4.005.010 item C 6 states, "The County will charge the allowable indirect cost allocation to all departments and funds in the most equitable manner possible and will recover the allowable indirect cost allocation from all grants, contracts and intergovernmental agreements. Exceptions will be made only upon Board approval," and

**WHEREAS**, Lane County, as a unit of local government, is an eligible applicant for certain federal and state grant opportunities including Federal Emergency Management Administration (FEMA) Building Resilient Infrastructure for Communities (BRIC), and

**WHEREAS**, Blachly Lane Electric Cooperative is not an eligible direct applicant for certain federal and state grant opportunities, including Federal Emergency Management Administration (FEMA) Building Resilient Infrastructure for Communities (BRIC).

**WHEREAS**, Blachly Lane Electric Cooperative has capacity to directly implement projects of strategic significance to the residents and geographic region of Lane County, and

**WHEREAS**, the Board of County Commissioners seek to acquire grant revenue to support projects of strategic significance that benefit the residents of Lane County.

**NOW, THEREFORE**, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. The intergovernmental agreement with Blachly Lane Electric Cooperative as listed in Exhibit A is approved and authority is delegated to the County Administrator to execute the intergovernmental agreement.

**ADOPTED** this 5<sup>th</sup> day of March, 2024.

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Laurie Trieger, Chair  
Lane County Board of Commissioners

## Exhibit A: Contract List

|                      |                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contract Title:      | Collaborative Grant Application Partnership Intergovernmental Agreement                                                                                                                                                                                                                                                                                                                                  |
| Agency:              | Blachly-Lane Electric Cooperative                                                                                                                                                                                                                                                                                                                                                                        |
| New or Amendment:    | New                                                                                                                                                                                                                                                                                                                                                                                                      |
| Description:         | Clarifies roles, responsibilities, and expectations when Lane County acts as the eligible applicant and/or recipient for grants, on behalf of and in partnership with Blachly-Lane Electric Cooperative.                                                                                                                                                                                                 |
| Amount:              | No funding specified in IGA. County will remit grant payments to Blachly-Lane Electric Cooperative per IGA. Blachly-Lane Electric Cooperative is responsible for meeting any and all match commitment requirements for grants.                                                                                                                                                                           |
| Contract Type:       | Intergovernmental Agreement                                                                                                                                                                                                                                                                                                                                                                              |
| Term of Agreement:   | Unless extended or terminated earlier in accordance with its terms, Agreement will terminate upon completion of all required grant reporting and close out activities. Final terms will be negotiated prior to IGA execution.                                                                                                                                                                            |
| Board Goals:         | Strategic Priority #4: Our People and Organizational Health. Objective C.2. "Strategically manage the infusion of one-time federal and state dollars and leverage grant opportunities" and C.4. "Enhance revenue for core services that impact the health and safety of our organization and community, and pursue our legislative priorities that emphasize needed repairs or enhancements to systems." |
| Health Implications: | Disadvantaged rural residents' access to electricity, and therefore potable water and sewer services.                                                                                                                                                                                                                                                                                                    |